

1 WRIGHT, FINLAY & ZAK, LLP

2 Dana Jonathon Nitz, Esq.

3 Nevada Bar No. 0050

4 Christina V. Miller, Esq.

5 Nevada Bar No. 12448

6 7785 W. Sahara Ave., Suite 200

7 Las Vegas, NV 89117

8 (702) 475-7964; Fax: (702) 946-1345

9 dnitz@wrightlegal.net

10 cmiller@wrightlegal.net

11 *Attorneys for Plaintiff Ocwen Loan Servicing, LLC*

12 **UNITED STATES DISTRICT COURT**

13 **CLARK COUNTY, NEVADA**

14 OCWEN LOAN SERVICING, LLC,

15 Case No.: 2:17-cv-02437-JCM-PAL

16 Plaintiff,

17 vs.

18 NEVADA RANCH TWILIGHT
19 HOMEOWNERS ASSOCIATION,

20 **Defendant.**

21 **STIPULATION AND ORDER FOR
22 EXTENSION OF TIME TO RESPOND
23 TO DEFENDANT NEVADA RANCH
24 TWILIGHT HOMEOWNERS
25 ASSOCIATION'S MOTION TO
26 DISMISS COMPLAINT**

27 COME NOW Plaintiff Ocwen Loan Servicing, LLC ("Ocwen") and Defendant Nevada
28 Ranch Twilight Homeowners Association (the "Nevada Ranch Twilight"), by and through their
respective counsel of record, and hereby stipulate and agree as follows:

WHEREAS, on August 29, 2009, a Notice of Delinquent Assessment (Lien) was recorded against the subject Property by Alessi & Koenig, LLC (the "HOA Trustee") on behalf of Nevada Ranch Master Homeowners Association ("Nevada Ranch Master").

WHEREAS, on that same date, a Notice of Delinquent Assessment (Lien) was recorded against the subject Property by the HOA Trustee on behalf of Nevada Ranch Twilight.

WHEREAS, on November 16, 2009, a Notice of Default and Election to Sell Under Homeowners Association Lien was recorded against the subject Property by the HOA Trustee on behalf of Nevada Ranch Master.

WHEREAS, on that same date, a Notice of Default and Election to Sell Under

1 Homeowners Association Lien was recorded against the subject Property by the HOA Trustee on
2 behalf of Nevada Ranch Twilight.

3 WHEREAS, on November 5, 2010, a second Notice of Default and Election to Sell
4 Under Homeowners Association Lien was recorded against the subject Property by the HOA
5 Trustee on behalf of Nevada Ranch Master.

6 WHEREAS, on March 20, 2012, a Notice of Trustee's Sale was recorded against the
7 subject Property by the HOA Trustee on behalf of Nevada Ranch Master, stating that a
8 foreclosure sale would proceed on April 11, 2012.

9 WHEREAS, on August 14, 2012, a Notice of Trustee's Sale was recorded against the
10 subject Property by the HOA Trustee on behalf of Nevada Ranch Twilight, stating that a
11 foreclosure sale would proceed on September 12, 2012.

12 WHEREAS, on August 14, 2012, a second Notice of Trustee's Sale was recorded against
13 the subject Property by the HOA Trustee on behalf of Nevada Ranch Master, stating that a
14 foreclosure sale would proceed on September 12, 2012.

15 WHEREAS, on January 8, 2013, a Trustee's Deed Upon Sale was recorded against the
16 Property by the HOA Trustee on behalf of Nevada Ranch Twilight, stating that a foreclosure sale
17 occurred on December 12, 2012.

18 WHEREAS, on April 25, 2013, a Corrective Trustee's Deed Upon Sale was recorded
19 against the Property by the HOA Trustee, stating that it was recorded “[t]o correct foreclosing
20 beneficiary name and TS. No.” The foreclosing beneficiary was changed from Nevada Ranch
21 Twilight to Nevada Ranch Master. The foreclosure sale date was also changed from December
22 12, 2012, to September 12, 2012.

23 WHEREAS, on September 18, 2017, Ocwen filed a Complaint seeking damages against
24 Nevada Ranch Twilight. ECF No.1.

25 WHEREAS, on January 10, 2018, Nevada Ranch Twilight filed a Motion to Dismiss the
26 Complaint. ECF No. 8.

27 WHEREFORE based on the foregoing,

28 ///

1 IT IS HEREBY STIPULATED AND AGREED that the time for Ocwen to respond to
2 Nevada Ranch Twilight's Motion to Dismiss (ECF No. 8) should be extended in order for
3 Ocwen to subpoena the HOA Trustee's records for the subject Property in order to determine the
4 correct foreclosing association and ensure that the correct association is named as a party to this
5 action.

6 IT IS FURTHER STIPULATED AND AGREED that the deadline for Ocwen to respond
7 to the Motion to Dismiss (ECF No. 8), currently January 24, 2018, should be extended by 30
8 days to February 23, 2018, so that the parties have sufficient time to receive and review the HOA
9 Trustee's collection file, determine the correct foreclosing association and determine an
10 appropriate course of action, whether by dismissal of Nevada Ranch Twilight or by continuing
11 briefing of the Motion to Dismiss.

12 IT IS SO STIPULATED.

13 DATED this 22nd day of January, 2018

14 DATED this 22nd day of January, 2018

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16 /s/ *Christina V. Miller*
17 Christina V. Miller, Esq.
18 Nevada Bar No. 12448
19 7785 W. Sahara Ave., Suite 200
20 Las Vegas, NV 89117
21 Attorneys for Plaintiff Ocwen Loan
22 Servicing, LLC

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16 /s/ *David T. Gluth*
17 David T. Gluth, Esq.
18 Nevada Bar No. 10596
19 300 South Fourth Street, Suite 1550
20 Las Vegas, NV 89101
21 Attorneys for Defendant Nevada Ranch
22 Twilight Homeowners Association

23 **ORDER**

24 IT IS SO ORDERED.

25 
26 _____
27 UNITED STATES DISTRICT JUDGE

28 1/24/2018
29 DATED: _____